

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

SONY BMG CD  
TECHNOLOGIES LITIGATION

Case No. 1:05-cv-09575-NRB

**DECLARATION OF DOUGLAS A. LINDE IN SUPPORT OF  
PLAINTIFFS' CLASS COUNSELS' APPLICATION FOR  
ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

I Douglas A. Linde declare as follows:

1. I am an attorney in good standing, duly licensed and admitted to the California State Bar and all courts of the Ninth Circuit. I am a counsel of record for Plaintiffs' in the case entitled JEFFREY T. PONTING, DANIEL D. LINDE, on behalf of themselves and all others similarly situated v. SONYBMG MUSIC ENTERTAINMENT, LLC, FIRST4INTERNET, LTD, and DOES 1 through 20., CV 05-8472 JFW (AJWx), which was originally filed in United States District Court , Central District of California, and removed to this Court.

2. I submit this declaration in support of Plaintiffs' Class Counsels' application for attorneys' fees and reimbursement of expenses in the above-entitled matter. The testimony set forth in this declaration is based on first-hand knowledge, about which I would and could testify competently in open court if called upon to do so, and on contemporaneously-generated records kept in the ordinary course of business.

3. For prosecuting this case I request an award of attorneys fees and costs in the amount of \$5,133. As set forth more fully below, the reasonable value of my attorney's fees for prosecuting this case is \$4,500. As set forth more fully below, in prosecuting this case, I incurred costs of \$633.

4. I am the only member of my firm, The Linde Law Firm, to perform work on this case. I have expended a total of 12 hours working on this case, as follows:

DATE	DESCRIPTION	TIME
11/18/2005	Initial conference with client Jeffrey T. Ponting re: Rootkit problem	1 hour.
11/19/2005	Review of articles regarding Rootkit problem	3 hours
11/23/2005	Initial conference with client Daniel D. Linde re: Rootkit problem	1 hour.
11/25/2005	Review of Sony's website regarding Rootkit technology and fix	1.5 hours
11/25/2005	Review of Sony CD, including disclosure provided to consumers with CD.	.5 hours
11/29/2005	Preparation of Complaint	3 hours
12/1/2005	Preparation of Complaint	2 hours


5. The total lodestar amount for attorney, paralegal and professional staff time expended by The Linde Law Firm in the course of the litigation, based upon current rate of \$375 per hour is \$4,500.

6. In coming to this figure, I was careful not to expend unnecessary hours and not to duplicate work done by others. Accordingly, I do not seek an award for reviewing the work of others, such as review of pleadings filed in this case, review of proposed settlement documents or conversations with other attorneys.

7. This firm expended a total of \$633 in unreimbursed expenses in connection with prosecution of the litigation on behalf of Jeffrey T. Ponting and Daniel D. Linde. Specifically, attached hereto as Exhibit 1 are true and correct copies of receipts showing Plaintiff incurred a \$250.00 filing fee, pursuant to 28 U.S.C. 1914(a), and cost of \$383 for service of process upon Sony in New York.

I declare under penalty of perjury under the laws of the United States of America and the State of New York that the foregoing is true and correct.

Executed this 27th day of March, 2006, in Los Angeles, CA.

  
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Douglas A. Linde



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